UNITED
NATIONS

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Economic and Social Council

Distr.
GENERAL

E/CONF.90/2
1 May 1997

ORIGINAL: ENGLISH

SIXTH UNITED NATIONS REGIONAL
CARTOGRAPHIC CONFERENCE FOR
THE AMERICAS
New York, 2-6 June 1997
Item 3 (a) of the provisional agenda*

ORGANIZATIONAL MATTERS: ADOPTION OF THE RULES OF PROCEDURE

Provisional rules of procedure

I. REPRESENTATION AND CREDENTIALS

Rule 1

Each State participating in the Conference shall be represented by a head of delegation and such other accredited representatives, alternate representatives, experts and advisers as may be required.

Rule 2

The credentials of representatives and the names of alternate representatives, experts and advisers shall be submitted to the Executive Secretary of the Conference if possible not later than 24 hours after the opening of the Conference. The credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs.

Rule 3

The President and the Vice-Presidents shall examine the credentials and report to the Conference without delay.

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Rule 4

Pending a decision of the Conference on their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. OFFICERS

Rule 5

The Conference shall elect a President, two Vice-Presidents and a Rapporteur from among the representatives of the States participating in the Conference.

Rule 6

The President shall preside over the plenary meetings of the Conference. He shall not vote but may designate another member of his delegation to vote in his place.

Rule 7

If the President is absent from a meeting or any part thereof, a Vice-President designated by him shall preside. A Vice-President acting as President shall have the same powers and duties as the President.

III. SECRETARIAT

Rule 8

The Executive Secretary of the Conference appointed by the Secretary-General of the United Nations shall act in that capacity in all meetings of the Conference. He may appoint a deputy to take his place at any meeting.

Rule 9

The Executive Secretary or his representative may at any meeting make either oral or written statements concerning any question under consideration.

Rule 10

The Executive Secretary shall provide and direct such staff as is required by the Conference. He shall be responsible for making all necessary arrangements for meetings and generally shall perform all other work which the Conference may require.

IV. CONDUCT OF BUSINESS

Rule 11

Representatives of a majority of the States participating in the Conference shall constitute a quorum.

Rule 12

In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each plenary meeting of the Conference, direct the discussion at such meetings, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. He shall rule on points of order and, subject to these rules of procedure, shall have complete control over the proceedings.

Rule 13

The President may, in the course of the discussions, propose to the Conference the closure of the list of speakers or the closure of the debate. He may also propose the suspension or the adjournment of the meeting or the adjournment of the debate on the item under discussion. He may also call a speaker to order if his remarks are not relevant to the matter under discussion.

Rule 14

The President, in the exercise of his functions, remains under the authority of the Conference.

Rule 15

During the discussion on any matter, a representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules of procedure. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative raising a point of order may not speak on the substance of the matter under discussion.

Rule 16

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. Any such motion shall have priority. In addition to the proposer of the motion, one representative shall be allowed to speak in favour of, and one representative against, the motion.

Rule 17

During the course of the debate, the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. The President may, however, accord the right of reply to any representative if, in his opinion, a speech delivered after he has declared the list closed makes this desirable. When the debate on an item is concluded because there are no other speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure by decision of the Conference pursuant to rule 18.

Rule 18

A representative may, at any time, move the closure of the debate on the item under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the motion shall be accorded only to two speakers opposing the closure, after which the motion shall be put to the vote immediately.

Rule 19

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 15 to 18, the President shall call upon speakers in the order in which they signify their desire to speak.

2. Debate shall be confined to the question before the Conference and the President may call a speaker to order if his remarks are not relevant to the subject under discussion.

3. The Conference may limit the time allowed to speakers and the number of times the representative of each State may speak on a question; permission to speak on a motion to set such limits shall be accorded only to two representatives in favour of and to two opposing such limits, after which the motion shall be put to the vote immediately. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call the speaker to order without delay.

Rule 20

Proposals and amendments shall normally be introduced in writing and submitted to the Executive Secretary of the Conference, who shall circulate copies to the delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Conference unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments or motions as to procedure even though these amendments or motions have not been circulated or have only been circulated the same day.

Rule 21

A proposal, amendment or motion may be withdrawn by its sponsor at any time before voting on it has commenced, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Rule 22

When a proposal or an amendment has been adopted or rejected, it may not be reconsidered unless the Conference, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on the motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be put to the vote immediately.

V. VOTING

Rule 23

Each State participating in the Conference shall have one vote, and the decisions of the Conference shall be made by a majority of the representatives present and voting.

Rule 24

For the purpose of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

Rule 25

The Conference shall normally vote by show of hands, but any representative may request a roll-call, which shall be taken in the English alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President.

Rule 26

After the President has announced the commencement of voting, no representative shall interrupt the vote except on a point of order in connection with the actual process of voting. Explanations of their votes by representatives may, however, be permitted by the President either before or after the voting. The President may limit the time to be allowed for such explanations.

Rule 27

Parts of a proposal shall be voted on separately if a representative requests that the proposal be divided. Those parts of the proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of a proposal have been rejected, the proposal shall be considered rejected as a whole. For the purpose of this rule, the word "proposal" shall be considered as including amendments.

Rule 28

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on. A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal.

Rule 29

If two or more proposals relate to the same question, the Conference shall, unless it decides otherwise, vote on the proposals in the order in which they were submitted. The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 30

All elections shall be held by secret ballot, unless otherwise decided by the Conference.

Rule 31

1. If, when one person or one delegation is to be elected, no candidate obtains the required majority in the first ballot, a second ballot shall be taken, which shall be restricted to the two candidates obtaining the largest number of votes.

2. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held for the purpose of reducing the number of candidates to two. In the case of a tie among three or more candidates obtaining the largest number of votes, a second ballot shall be held; if a tie results among more than two candidates, the number shall be reduced to two by lot.

Rule 32

If a vote is equally divided on matters other than elections, a second vote shall be taken after an adjournment of the meeting for 15 minutes. If this vote is also equally divided, the proposal shall be regarded as rejected.

VI. OFFICIAL AND WORKING LANGUAGES

Rule 33

English, French and Spanish shall be the official languages of the Conference, and English and Spanish the working languages of the Conference.

Rule 34

Speeches made in one of the official languages of the Conference shall be interpreted into the other such languages. A representative may speak in a language other than a language of the Conference if the delegation concerned provides for interpretation into one such language.

VII. SOUND RECORDINGS

Rule 35

The plenary meetings of the Conference and the meetings of its committees shall have sound recordings and such recordings shall be kept by the Secretariat in English only.

VIII. PUBLIC AND PRIVATE MEETINGS

Rule 36

The plenary meetings of the Conference and the meetings of its committees shall be held in public unless the body concerned decides that exceptional circumstances require that a particular meeting be held in private.

IX. COMMITTEES

Rule 37

The Conference may establish such committees as may be necessary for the performance of its functions. Items relating to the same category of subjects may be referred to the committee dealing with that category of subject.

Rule 38

Each committee shall elect its own Chairman, Vice-Chairman and Rapporteur.

Rule 39

In so far as they are applicable, these rules shall apply to the proceedings of the committees. A committee may dispense with certain language interpretations.

X. OBSERVERS

Rule 40

Representatives of associate members of the Economic Commission for Latin America and the Caribbean that are not independent States may participate, without the right to vote, in the deliberations of the Conference and its committees.

Rule 41

1. Representatives of the specialized agencies invited to the Conference may participate, without the right to vote, in the deliberations of the Conference and its committees, on the invitation of the President or the Chairman of a committee, as the case may be, on questions within the scope of their activities.

2. Written statements of such specialized agencies shall be distributed by the Secretariat to the delegations at the Conference in the languages and in the quantities that such statements are made available to the Secretariat.

Rule 42

1. Observers designated by other intergovernmental organizations and non-governmental organizations invited to the Conference may participate, without the right to vote, in the deliberations of the Conference and its committees and, on the invitation of the President or the Chairman of a committee, as the case may be, may make oral statements on subjects in which these organizations have a special competence.

2. Written statements of such organizations on subjects in which they have a special competence and which are related to the work of the Conference shall be distributed by the Secretariat in the languages and in the quantities that such statements are made available to the Secretariat.

XI. AMENDMENTS

Rule 43

These rules of procedure may be amended by a decision of the Conference.